



Billing Code 9110-12-P

DEPARTMENT OF HOMELAND SECURITY

Federal Emergency Management Agency

44 CFR Part 64

Docket ID FEMA-2011-0002

[Internal Agency Docket No. FEMA-8203]

Suspension of Community Eligibility

AGENCY: Federal Emergency Management Agency, DHS.

ACTION: Final rule.

SUMMARY: This rule identifies communities, where the sale of flood insurance has been authorized under the National Flood Insurance Program (NFIP), that are scheduled for suspension on the effective dates listed within this rule because of noncompliance with the floodplain management requirements of the program. If the Federal Emergency Management Agency (FEMA) receives documentation that the community has adopted the required floodplain management measures prior to the effective suspension date given in this rule, the suspension will not occur and a notice of this will be provided by publication in the Federal Register on a subsequent date.

EFFECTIVE DATES: The effective date of each community's scheduled suspension is the third date ("Susp.") listed in the third column of the following tables.

FOR FURTHER INFORMATION CONTACT: If you want to determine whether a particular community was suspended on the suspension date or for further information, contact David Stearrett, Mitigation Directorate, Federal Emergency Management Agency, 500 C Street SW, Washington, DC 20472, (202) 646-2953.

SUPPLEMENTARY INFORMATION: The NFIP enables property owners to purchase flood insurance which is generally not otherwise available. In return, communities agree to adopt and administer local floodplain management aimed at protecting lives and new construction from future flooding. Section 1315 of the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage as authorized under the NFIP, 42 U.S.C. 4001 et seq.; unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed in this document no longer meet that statutory requirement for compliance with program regulations, 44 CFR part 59. Accordingly, the communities will be suspended on the effective date in the third column. As of that date, flood insurance will no longer be available in the community. However, some of these communities may adopt and submit the required documentation of legally enforceable floodplain management measures after this rule is published but prior to the actual suspension date. These communities will not be suspended and will continue their eligibility for the sale of insurance. A notice withdrawing the suspension of the communities will be published in the Federal Register.

In addition, FEMA has identified the Special Flood Hazard Areas (SFHAs) in these communities by publishing a Flood Insurance Rate Map (FIRM). The date of the FIRM, if one has been published, is indicated in the fourth column of the table. No direct Federal financial assistance (except assistance pursuant to the Robert T. Stafford Disaster Relief and Emergency Assistance Act not in connection with a flood) may legally be provided for construction or acquisition of buildings in identified SFHAs for communities not participating in the NFIP and identified for more than a year, on FEMA's initial flood insurance map of the community as having flood-prone areas (section 202(a) of the Flood

Disaster Protection Act of 1973, 42 U.S.C. 4106(a), as amended). This prohibition against certain types of Federal assistance becomes effective for the communities listed on the date shown in the last column. The Administrator finds that notice and public comment under 5 U.S.C. 553(b) are impracticable and unnecessary because communities listed in this final rule have been adequately notified.

Each community receives 6-month, 90-day, and 30-day notification letters addressed to the Chief Executive Officer stating that the community will be suspended unless the required floodplain management measures are met prior to the effective suspension date. Since these notifications were made, this final rule may take effect within less than 30 days.

National Environmental Policy Act. This rule is categorically excluded from the requirements of 44 CFR part 10, Environmental Considerations. No environmental impact assessment has been prepared.

Regulatory Flexibility Act. The Administrator has determined that this rule is exempt from the requirements of the Regulatory Flexibility Act because the National Flood Insurance Act of 1968, as amended, 42 U.S.C. 4022, prohibits flood insurance coverage unless an appropriate public body adopts adequate floodplain management measures with effective enforcement measures. The communities listed no longer comply with the statutory requirements, and after the effective date, flood insurance will no longer be available in the communities unless remedial action takes place.

Regulatory Classification. This final rule is not a significant regulatory action under the criteria of section 3(f) of Executive Order 12866 of September 30, 1993, Regulatory Planning and Review, 58 FR 51735.

Executive Order 13132, Federalism. This rule involves no policies that have federalism implications under Executive Order 13132.

Executive Order 12988, Civil Justice Reform. This rule meets the applicable standards of Executive Order 12988.

Paperwork Reduction Act. This rule does not involve any collection of information for purposes of the Paperwork Reduction Act, 44 U.S.C. 3501 et seq.

List of Subjects in 44 CFR Part 64

Flood insurance, Floodplains.

Accordingly, 44 CFR part 64 is amended as follows:

PART 64--[AMENDED]

1. The authority citation for part 64 continues to read as follows:

Authority: 42 U.S.C. 4001 et seq.; Reorganization Plan No. 3 of 1978, 3 CFR, 1978 Comp.; p. 329; E.O. 12127, 44 FR 19367, 3 CFR, 1979 Comp.; p. 376.

§ 64.6 [Amended]

2. The tables published under the authority of § 64.6 are amended as follows:

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Region III				
Pennsylvania: Beccaria, Township of, Clearfield County.	421512	April 8, 1976, Emerg; July 4, 1989, Reg; November 2, 2011, Susp.	November 2, 2011	November 2, 2011
Bigler, Township of, Clearfield County.	421514	January 22, 1976, Emerg; November 16, 1990, Reg; November 2, 2011, Susp.	*-do-	-do-
Bloom, Township of, Clearfield County.	422379	September 21, 1979, Emerg; August 24, 1984, Reg; November 2, 2011, Susp.	-do-	-do-
Boggs, Township of, Clearfield County.	421515	May 11, 1984, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Bradford, Township of, Clearfield County.	421516	November 7, 1979, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Brady, Township of, Clearfield County.	421517	February 1, 1977, Emerg; August 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Brisbin, Borough of, Clearfield County.	420297	September 21, 1976, Emerg; August 3, 1984, Reg; November 2, 2011, Susp.	-do-	-do-
Burnside, Borough of, Clearfield County.	420298	February 28, 1977, Emerg; July 17, 1989, Reg; November 2, 2011, Susp.	-do-	-do-
Burnside, Township of, Clearfield County.	421518	January 29, 1976, Emerg; August 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Chest, Township of, Clearfield County.	421519	April 11, 1980, Emerg; August 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Clearfield, Borough of, Clearfield County.	420300	August 24, 1973, Emerg; September 5, 1979, Reg; November 2, 2011, Susp.	-do-	-do-
Coalport, Borough of, Clearfield County.	420301	August 12, 1975, Emerg; July 4, 1989, Reg; November 2, 2011, Susp.	-do-	-do-
Cooper, Township of, Clearfield County.	421520	January 13, 1976, Emerg; August 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Covington, Township of, Clearfield County.	421521	October 6, 1976, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Curwensville, Borough of, Clearfield County.	420302	April 7, 1975, Emerg; July 4, 1989, Reg; November 2, 2011, Susp.	-do-	-do-
Decatur, Township of, Clearfield County.	421189	March 18, 1977, Emerg; November 16, 1990, Reg; November 2, 2011, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Dubois, City of, Clearfield County.	420303	December 19, 1973, Emerg; December 1, 1978, Reg; November 2, 2011, Susp.	-do-	-do-
Ferguson, Township of, Clearfield County.	422380	September 27, 1976, Emerg; August 3, 1984, Reg; November 2, 2011, Susp.	-do-	-do-
Girard, Township of, Clearfield County.	422381	October 12, 1976, Emerg; June 17, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Glen Hope, Borough of, Clearfield County.	420305	March 2, 1977, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Goshen, Township of, Clearfield County.	422382	March 8, 1976, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Graham, Township of, Clearfield County.	421522	October 5, 1976, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Grampian, Borough of, Clearfield County.	420306	July 24, 1975, Emerg; July 4, 1989, Reg; November 2, 2011, Susp.	-do-	-do-
Greenwood, Township of, Clearfield County.	421523	August 10, 1979, Emerg; August 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Gulich, Township of, Clearfield County.	421524	January 21, 1976, Emerg; November 16, 1990, Reg; November 2, 2011, Susp.	-do-	-do-
Houtzdale, Borough of, Clearfield County.	420307	January 26, 1977, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Huston, Township of, Clearfield County.	421525	February 24, 1981, Emerg; January 3, 1990, Reg; November 2, 2011, Susp.	-do-	-do-
Irvona, Borough of, Clearfield County.	420308	December 6, 1976, Emerg; November 3, 1989, Reg; November 2, 2011, Susp.	-do-	-do-
Karthus, Township of, Clearfield County.	421526	February 28, 1977, Emerg; April 1, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Mahaffey, Borough of, Clearfield County.	420310	February 28, 1977, Emerg; July 4, 1989, Reg; November 2, 2011, Susp.	-do-	-do-
Morris, Township of, Clearfield County.	421529	November 17, 1975, Emerg; December 5, 1989, Reg; November 2, 2011, Susp.	-do-	-do-
New Washington, Borough of, Clearfield County.	420312	March 16, 1977, Emerg; August 3, 1984, Reg; November 2, 2011, Susp.	-do-	-do-
Pike, Township of, Clearfield County.	421190	December 3, 1979, Emerg; September 15, 1989, Reg; November 2, 2011, Susp.	-do-	-do-

State and Location	Community No.	Effective date authorization/cancellation of sale of flood insurance in community	Current Effective Map Date	Date Certain Federal assistance no longer available in SFHAs
Sandy, Township of, Clearfield County.	421191	July 9, 1975, Emerg; September 6, 1989, Reg; November 2, 2011, Susp.	-do-	-do-
Troutville, City of, Clearfield County.	420315	March 14, 1980, Emerg; December 17, 1985, Reg; November 2, 2011, Susp.	-do-	-do-
Union, Township of, Clearfield County.	421531	January 12, 1984, Emerg; September 1, 1987, Reg; November 2, 2011, Susp.	-do-	-do-
Westover, Borough of, Clearfield County.	420317	July 23, 1975, Emerg; August 15, 1989, Reg; November 2, 2011, Susp.	-do-	-do-
Virginia: Poquoson, City of, Independent City.	510183	August 29, 1973, Emerg; May 16, 1977, Reg; November 2, 2011, Susp.	-do-	-do-
Region IV				
Alabama: Auburn, City of, Lee County.	010144	November 21, 1974, Emerg; September 16, 1981, Reg; November 2, 2011, Susp.	-do-	-do-
Lee County, Unincorporated Areas.	010250	N/A, Emerg; December 29, 2005, Reg; November 2, 2011, Susp.	-do-	-do-
Opelika, City of, Lee County.	010145	June 20, 1975, Emerg; September 16, 1981, Reg; November 2, 2011, Susp.	-do-	-do-
Smiths Station, City of, Lee County.	010491	N/A, Emerg; August 24, 2009, Reg; November 2, 2011, Susp.	-do-	-do-
Demopolis, City of, Marengo County.	010157	August 21, 1975, Emerg; December 17, 1987, Reg; November 2, 2011, Susp.	-do-	-do-
Linden, City of, Marengo County.	010158	December 27, 1974, Emerg; September 18, 1985, Reg; November 2, 2011, Susp.	-do-	-do-
Marengo County, Unincorporated Areas.	010156	July 21, 1975, Emerg; January 17, 1990, Reg; November 2, 2011, Susp.	-do-	-do-
Providence, Town of, Marengo County.	010159	N/A, Emerg; January 30, 2008, Reg; November 2, 2011, Susp.	-do-	-do-
Thomaston, Town of, Marengo County.	010273	June 8, 1976, Emerg; August 19, 1985, Reg; November 2, 2011, Susp.	-do-	-do-
Kentucky: McCracken County, Unincorporated Areas.	210151	July 24, 1975, Emerg; June 4, 1980, Reg; November 2, 2011, Susp.	-do-	-do-
Paducah, City of, McCracken County.	210152	May 12, 1975, Emerg; April 15, 1980, Reg; November 2, 2011, Susp.	-do-	-do-

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Tennessee: Claiborne County, Unincorporated Areas.	470212	April 16, 1974, Emerg; May 4, 1988, Reg; November 2, 2011, Susp.	-do-	-do-
New Tazewell, City of, Claiborne County.	470030	November 1, 1974, Emerg; August 5, 1986, Reg; November 2, 2011, Susp.	-do-	-do-
Tazewell, City of, Claiborne County.	475449	October 30, 1970, Emerg; October 30, 1970, Reg; November 2, 2011, Susp.	-do-	-do-
Region V				
Illinois: Cave-In-Rock, Village of, Hardin County.	170274	August 27, 1975, Emerg; December 1, 1983, Reg; November 2, 2011, Susp.	-do-	-do-
Elizabethtown, Village of, Hardin County.	170275	July 2, 1975, Emerg; September 15, 1983, Reg; November 2, 2011, Susp.	-do-	-do-
Rosiclare, City of, Hardin County.	170276	July 3, 1975, Emerg; September 15, 1983, Reg; November 2, 2011, Susp.	-do-	-do-

*-do- =Ditto.

Code for reading third column: Emerg. —Emergency; Reg. —Regular; Susp. —Suspension.

Dated: October 13, 2011

Edward L. Connor,

Deputy Associate Administrator

for Federal Insurance

Department of Homeland Security

Federal Emergency Management Agency

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